

Message Text

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ACTION SS-25

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C O N F I D E N T I A L SECTION 1 OF 2 MANILA 1232

EXDIS

E.O. 11652: GDS
TAGS: SHUM, RP
SUBJECT: HUMAN RIGHTS IN PHILIPPINES
REF: MANILA 898

1. SUMMARY: PRESIDENT MARCOS SEES SKEPTICISM TOWARD HIS HUMAN RIGHTS POLICIES AS BEING PRIMARILY RELATED TO ERRONEOUS INFORMATION ABOUT PHILIPPINE SITUATION. HE FEELS RECENT CONGRESSIONAL VISITS SHOWED "OBSESSION" WITH HUMAN RIGHTS QUESTIONS. HE CLAIMS TRIALS OF CURRENT POLITICAL DETAINEES ARE IN PROCESS. HE INSISTS THAT ELECTIONS WILL OPEN NEW PHASE IN DEMOCRATIC LIFE. EXISTENCE OF LEGISLATURE PLUS SOLUTION IN SOUTH COULD BRING END OF MARTIAL LAW. END SUMMARY.

2. PRESIDENT MARCOS BEGAN ONE-HOUR MEETING WITH ME JAN. 24 BY GIVING ME ADDRESS OF VICTOR REYES (MENTIONED IN CONGRESSIONAL CORRESPONDENCE AS HAVING DISAPPEARED) AND URGED THAT EMBASSY OFFICER INTERVIEW HIM. PRESIDENT ALSO ASKED WHETHER I HAD RECEIVED LIST OF THOSE RECENTLY AMNESTIED. I ASKED IF THIS WAS THE DECEMBER LIST OR A NEW LIST AND HE REPLIED THAT AMNESTY IS "GOING ON ALL THE TIME". (WE HAVE NOT RECEIVED SUCH LIST BUT WILL SEEK TO LOCATE IT.)

3. AFTER GIVING PRESIDENT A COPY OF PRESIDENT CARTER'S STATE OF UNION SPEECH, I SAID I FELT IT WOULD BE USEFUL TO REVIEW,
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AFTER THE RECENT EXECUTIVE AND CONGRESSIONAL VISITS, WHERE WE STOOD ON VARIOUS HUMAN RIGHTS QUESTIONS. I WAS NOT SURE WHETHER CONGRESSIONAL VISITS, USUALLY MARKED BY POLITENESS, HAD CONVEYED SUFFICIENTLY STRENGTH OF REAL CONGRESSIONAL CONCERNS ON HUMAN RIGHTS.

4. PRESIDENT REPLIED THAT I DID NOT NEED TO WORRY ON THAT

SCORE. EVEN THOUGH CONGRESSMEN WERE POLITE IN PUBLIC STATEMENTS, HE AND HIS OFFICIALS FELT THEY HAD AN "OBSESSION" WITH THE SUBJECT IN PRIVATE CONVERSATIONS. THEIR VIEWS CONFIRMED OTHERS THAT STRESSED THE DEGREE OF CONGRESSIONAL INTEREST IN THE SUBJECT.

5. I REMARKED THAT I WAS PLEASED THAT MEMBERS OF CONGRESS HAD CONVEYED THIS IMPRESSION. I FELT IT NECESSARY TO LET HIM KNOW THAT, WHILE HIS PRESENTATIONS TO THE VISITORS WERE MOST APPRECIATED, THERE WERE MANY WHO WERE STILL TROUBLED BY WHAT THEY SAW OR UNDERSTOOD ABOUT HUMAN RIGHTS IN THE PHILIPPINES.

6. I FELT I HAD BEEN REPORTING ACCURATELY HIS RATIONALE FOR MARTIAL LAW, HIS COURTESY IN RECEIVING ME FOR WEEKLY MEETINGS, HIS STATEMENT ON THE POLICY AGAINST TORTURE, AND THE SUPREME COURT ACTION ON AWUINO. WE WERE NOW REPORTING THE DEVELOPMENT OF THE NEW ELECTION PROCESS.

7. NEVERTHELESS, I FELT HE SHOULD BE AWARE THAT PROFOUND SKEPTICISM CONTINUES TO EXIST BOTH WITHIN THE EXECUTIVE BRANCH AND WITHIN THE CONGRESS OVER HIS TRUE INTENTIONS BOTH REGARDING INDIVIDUALS AND DEMOCRATIC PROCESSES. I THEN INUMERATED THOSE ELEMENTS WHICH CONTINUED TO CAUSE CONCERN: (A) THE FACT THAT AQUION IS SEEN AS A POLITICAL DETAINEE AND IS STILL IN JAIL; (B) THE FACT THAT CHARGES

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STILL LODGED AGAINST MRS. HERRERA AND CATHOLIC PRIESTS, INCLUDING FATHER REUTER, HAVE NOT BEEN LIFTED; (C) THE FACT THAT NEARLY 500 POLITICAL DETAINEES CONTINUE TO BE HELD WITHOUT TRIAL.

8. IN CONNECTION WITH THE FOREGOING ITEMS, I STRESSED THAT THESE INVOLVED THE TREATMENT OF INDIVIDUALS AND WERE, IN LIGHT OF CURRENT LEGISLATION, THE MOST CRITICAL ASPECTS. AS LONG AS THERE WAS NO MOVEMENT IN THESE CASES, WE WOULD CONTINUE TO HAVE PROBLEMS SUPPORTING LOANS TO THE PHILIPPINES IN INTERNATIONAL FINANCIAL INSTITUTIONS AND IN THE PASSAGE OF ASSISTANCE PROGRAMS IN THE CONGRESS.

9. ON A MORE GENERAL PLANE, OTHER ASPECTS OF THE SITUATION WERE ALSO IMPORTANT: (A) THE FACT THAT MOST PEOPLE BELIEVE, WHATEVER THE ORGANIZATION, THAT THE PRESS IS TIGHTLY CONTROLLED BY THE GOVERNMENT; (B) THE FACT THAT

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C O N F I D E N T I A L SECTION 2 OF 2 MANILA 1232

EXDIS

THERE WAS NO REAL OPPOSITION IN THE REFERENDUM; (C) THE FACT THAT MARTIAL LAW CONTINUES; (D) THE FACT THAT THERE IS NO INDICATION IN CURRENT POLITICAL PLANNING THAT THE PRESIDENT HIMSELF INTENDS TO STAND IN A FREE ELECTION.

10. IN CONCLUSION I EMPHASIZED THAT WHAT WAS IMPORTANT WAS THAT THERE BE A TREND IN A POSITIVE DIRECTION. INDONESIA, FOR EXAMPLE, WAS NOW REGARDED MORE FAVORABLY THAN THE PHILIPPINES EVEN THOUGH THERE WERE STILL 20,000 DETAINEES. I STRESSED THAT TIS PRE-ELECTION PERIOD WOULD APPEAR TO BE AN IDEAL TIME TO MAKE DRAMATIC MOVES TO IMPROVE THE HUMAN RIGHTS SITUATION.

11. MARCOS REPLIED TO MY DEMARCHE IN MEASURED ONES. HE SAID THAT THE VIEWS I HAD OUTLINED DEMONSTRATED HOW IN-ACCURATE WAS MOST OF THE INFORMATION ON WHICH AMERICAN CRITICS BASED THEIR ASSERTIONS. FOR EXAMPLE, "IT IS NOT CORRECT TO SAY THAT I WILL NOT RISK STANDING FOR PRESIDENT BECAUSE THERE WILL NOT BE ANY MORE PRESIDENTIAL ELECTIONS UNDER THE NEW CONSTITUTION." HE EXPLAINED ONCE MORE THAT THE NEW BATASANG PEMBANSANG WILL LEAD TO A PERMANENT LEGISLATURE WHICH WILL ELECT A PRIME MINISTER. THE QUESTION OF HOW THE CEREMONIAL PRESIDENT WILL BE CHOSEN HAS NOT YET BEEN DECIDED.

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12. ON AQUINO, HE REPEATED HIS PREVIOUS ASSERTIONS THAT HE COULD NOT INTERVENE WHILE THE CASE WAS BEFORE THE SUPREME COURT. HE SAID HE HAD SPOKEN TO THE CHIEF JUSTICE WHO HAD TOLD HIM THAT THE COURT HAD NOT YET DECIDED WHAT

THEY WOULD DO. HE ALSO SAID HE HAD BEEN IN TOUCH WITH AQUINO WHO HAD RAISED THE POSSIBILITY OF "WORKING WITH HIM IN THE GOVERNMENT." HE COMMENTED THAT AQUINO DID NOT WANT TO JOIN THE CURRENT OPPOSITION WHICH HE CONSIDERS "A GROUP OF WEAKLINGS."

13. ON THE CATHOLIC PRIESTS, HE SAID HE HAS OFFERED TO MEET WITH FATHER REUTER AND THAT FATHER REUTER IS CONFERRING WITH THE COUNCIL OF BISHOPS WHOSE SUPPORT HE DESIRES IN ANY MEETING WITH THE PRESIDENT.

14. THE PRESIDENT THEN ASKED "WHAT CAN WE DO?" HE SAID IT WAS CLEAR THAT CONGRESSIONAL VIEWS WERE CONDITIONED BY THE AMERICAN MEDIA AND THAT THE AMERICAN MEDIA SEEMED TO BE BASICALLY UNFRIENDLY TO HIM. THE PHILIPPINE GOVERNMENT WAS CONSULTING WITH DOREMUS AND COMPANY ON AN IMPROVED PUBLIC RELATIONS EFFORT IN THE UNITED STATES BUT SUCH AN EFFORT WOULD HAVE ITS LIMITATIONS. HE SAID MANY IN HIS ENTOURAGE FELT THAT THERE WAS "NO HOPE" OF GETTING FAIR TREATMENT IN THE UNITED STATES AND THAT THE PHILIPPINES SHOULD GO ITS OWN WAY WITHOUT CONCERN FOR AMERICAN OPINION.

15. IN RESPONSE, I COMMENTED THAT THE TIES BETWEEN THE UNITED STATES AND THE PHILIPPINES WERE VERY IMPORTANT AND NEEDED TO BE PRESERVED. FOR THIS REASON, I HOPED THAT HE AND HIS ASSOCIATES WOULD NOT CEASE OUR COMMON EFFORTS TO REACH A BETTER UNDERSTANDING ON THESE ISSUES. MARCOS SAID HE AGREED. HE COMMENTED THAT "THERE IS A CONFIDENTIAL

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GREAT RESERVOIR OF GOODWILL TOWARD AMERICA." HE ADDED THAT ANTI-AMERICAN SENTIMENT EXISTED ONLY AMONG SOME INTELLECTUALS WHO DID NOT SPEAK FOR THE BULK OF THE PHILIPPINE PEOPLE.

16. I SAID THAT I FELT THAT AS HE DEVELOPED HIS NEW DEMOCRATIC INSTITUTIONS AND RESOLVED THE VARIOUS INDIVIDUAL CASES UNDER MARTIAL LAW, IT WAS IMPORTANT THAT HE TELL HIS STORY IN A LOW KEY THROUGH HIS EMBASSY IN WASHINGTON AND OTHER FRIENDS SO THAT IT WAS FULLY UNDERSTOOD. IF INDEED HE PLANS TO TRY OR RELEASE ALL OF THE CURRENT DETAINEES, HE SHOULD ANNOUNCE PUBLICLY THE RESULT OF THAT PROCESS WHEN IT IS COMPLETED. HE SHOULD GIVE SERIOUS THOUGHT TO INVITING OUTSIDE OBSERVERS, INCLUDING POSSIBLY MEMBERS OF CONGRESS, TO WITNESS HIS ELECTIONS IN APRIL. AMERICANS ARE FAIR MINDED AND IF IT CAN BE DEMONSTRATED THAT THERE IS AN EFFORT TO RESOLVE THE CURRENT PROBLEMS, THE ATTITUDE TOWARDS THE PHILIPPINES COULD CHANGE.

17. THE PRESIDENT, AT THE END OF THE MEETING, COMMENTED

THAT THINGS WERE LOOKING BRIGHTER IN THE SOUTH FOR A
POSSIBLE SETTLEMENT (DETAILS BEING SEPARATELY REPORTED).
THIS DEVELOPMENT COULD, HE SAID, MEAN AN EARLY END TO
MARTIAL LAW, POSSIBLY BY THE END OF THIS YEAR.

18. SINCE I WILL BE VISITING CEBU AND DAVAO NEXT WEEK
AND THE PRESIDENT WILL BE TRAVELLING THE FOLLOWING WEEK,
NO DATE WAS SET FOR A FURTHER SESSION.
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